



DUCESNE COLLEGE

PRIVACY & CONFIDENTIALITY POLICY

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Authorised by	College Council	Policy owner	Head of College

INTRODUCTION AND PURPOSE

Privacy and confidentiality is about a fair collection and handling of personal information. Under the *Privacy Act 1988 (Cth)*, personal information held by Duchesne College will be responsibly collected and managed in accordance with the requirements of the Australian Privacy Principles (APPs).

SCOPE

This policy is designed to assist the staff, Council and students of Duchesne College to understand how Duchesne College will manage personal information.

PURPOSE

The purpose of this policy is to address the ways in which personal information is collected, held, used, corrected, disclosed and destroyed by the College; to provide a framework for Duchesne College in dealing with privacy considerations; and to establish standards of best practice. This policy has been framed around the *Privacy Act (1988)* and *Freedom of Information Act (1982)*.

POLICY STATEMENT

Duchesne College collects and administers a range of personal information for the purposes of carrying out its mission and business. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

Duchesne College recognises the essential right of individuals to have their information administered in ways which they would reasonably expect – protected on one hand, and made accessible to them on the other. These privacy values are reflected in and supported by our core values and ethos.

Duchesne College is bound by laws that impose specific obligations when it comes to handling information. The organisation has adopted the following principles contained as minimum standards in relation to handling personal information. Duchesne College will:

- Only collect personal information that is necessary for its legitimate function or activities;
- Collect personal information by lawful and fair means and not in an unreasonably intrusive way;
- When collecting information disclose our identity, how to contact us, and the fact that the individual can gain access to the information collected;
- Disclose the purpose for which the information is collected;
- Ensure individuals are informed as to why we collect the information and how we administer the information gathered;
- Take reasonable steps to ensure when information is collected from a third party, the subject of the information has been made aware as mentioned above;
- Where it is reasonable and practical collect personal information directly from the person;
- Give recipients the ability to opt out or be deleted from our list when sending information for the purposes of direct marketing;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the individual's consent or unless required by law;
- Take reasonable steps to ensure information is accurate, complete, and up to date;
- Take reasonable steps to protect personal information from:
 - Misuse
 - Loss
 - Unauthorised access
 - Modification of disclosure
- Destroy information when it is no longer of use;
- Not transfer personal information across borders to an unsecured location;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.
- Manage any privacy complaint promptly by an appropriate Manager, and take all reasonable steps to ensure that any similar breach will not recur.

RESPONSIBILITIES

The Duchesne College Council is responsible for adopting and monitoring this policy.

The Head of College (HoC) is responsible for the implementation of this policy, for monitoring changes in Privacy legislation, and for advising on the need to review or revise this policy as and when the need arises.

All staff within Duchesne College are trained in relation to their individual obligations and have a responsibility to ensure they comply with the *Privacy Act 1988 (Cth)*. Personal information held by Duchesne College is protected by security safeguards against loss, unauthorised access or disclosure and misuse.

The management of privacy has been delegated to the Business Manager who will act as Privacy Officer and be the first point of contact for members of the public and employees on privacy matter, including:

- Breach of privacy complaints;
- Requests for internal reviews;
- Requests to amend records; and
- General information on privacy at Duchesne College.

The Privacy Officer can be contacted on (07) 3377 2333.

TYPES OF PERSONAL INFORMATION HELD AND COLLECTED BY DUCESNE COLLEGE

Duchesne College holds and collects different types of personal information. This may include:

- Staff records
- Student records
- Council records
- Incident records regarding the performance of its functions and activities, such as workplace incidents
- Financial management records
- Information systems records
- Administration records
- Correspondence
- Right to Information, Privacy, and Litigation records
- Health records
- Needs assessment for provision of services Other records – for example, records of dealings between Duchesne College and individual members of the public

Duchesne College holds personal information as paper files or in electronic format.

Personal information may be collected from the individuals when they first come into contact with Duchesne College and while they continue to be in contact with Duchesne College.

COLLECTION OF PERSONAL INFORMATION

Personal information is collected fairly and lawfully and as required to meet work obligations under Duchesne College's constitution and other relevant laws.

Duchesne College collects personal information in a number of ways, including:

- Directly from students and families when they provide information by phone, or in documents such as an application form;
- From third parties such as universities and government agencies;
- From surveys;
- From publicly available sources of information;
- From other organisations;
- When legally required to do so.

Duchesne College will not use personal information for a secondary purpose unrelated to the purpose for which the information was originally collected, without the consent from the individual concerned or with authorisation under law.

PURPOSE OF PERSONAL INFORMATION

All reasonable precautions will be taken by Duchesne College to respect the privacy of individuals in accordance with the *Privacy Act 1988 (Cth)*.

Personal information is held and collected to enable Duchesne College to meet purposes, functions and responsibilities such as the following:

- To meet constitutional objects and enable its Council and committees to perform their functions;
- To ensure the safety of staff, students, Council members, volunteers and members of the public;
- Reporting, planning, research, evaluation, communication, compliance, commercial, strategic policy, corporate support (e.g. personnel management), training, complaint management, operational policy and administration;
- Legislative accountability, administrative, reporting, management, personnel and financial functions;
- Risk management;
- To assess or improve Duchesne College procedures;
- For the management of legal issues (e.g. claims, proceedings, inquests or inquiries);
- To process employment and volunteer applications, including, Blue Card applications and criminal history checks;
- To make decisions about an employee's service, payment of allowances and expenditure reimbursement; and
- To meet its responsibilities for the safe deployment of staff and volunteers.

DISCLOSURE OF PERSONAL INFORMATION

All reasonable precautions will be taken by Duchesne College to respect the privacy of individuals in accordance with the *Privacy Act 1988 (Cth)*.

Personal information about individuals is only disclosed by Duchesne College to government entities, external service providers, other third parties where an individual has consented to the use or disclosure, or would reasonably expect the organisation to use or disclose the information to the other organisation, or as required by law.

ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Individuals have a general right of access to their personal information, subject to some exceptions allowed by law, and the right to have that information corrected if it is inaccurate.

DATA BREACHES

Any known or suspected data breach will be managed in accordance with the National Data Breaches Scheme.

COMPLAINTS AND REVIEW

If an individual believes that Duchesne College has not dealt with their personal information in accordance with the *Privacy Act 1988 (Cth)*, they can make a complaint to Duchesne College.

Every effort will be made to deal with the complaint immediately and to the satisfaction of both parties. If this is not possible, Duchesne College will provide a written response to the complaint within 30 days of the complaint being received by the Privacy Officer. If an individual believes their complaint has not been appropriately handled by the Company, contact can be made with the Office of the Federal Privacy Commissioner, Privacy Hotline 1300 363 992 (local call charge) or via www.privacy.gov.au.

DEFINITIONS

Personal Information

For the purpose of identifying information to be managed in accordance with the *Australian Privacy Principle (APP)*, personal information is defined as any information that would allow a person to be identified.

Examples include a person's name and address, signature, email address, date of birth, driver's licence number, physical characteristics such as height, birthmarks, tattoos and psychological profiles. It also includes sensitive information such as political and religious beliefs, medical records, disabilities and sexual preferences.

What is not personal information?

Personal information does not apply to information in publications that are generally available. Generally available publications include documents such as annual reports, a newsletter, magazines, books, or a newspaper article.

RELATED DOCUMENTS

External

<https://www.oaic.gov.au/privacy-law/privacy-act/australian-privacy-principles>

Internal

- Information Management Procedure
- Duchesne College Privacy Statement
- Data Breach Procedure

AUTHORISATION

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Role	Chair, Duchesne College Council
Signature	
Date	14 May 2019